

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HELI USA AIRWAYS, INC.,

Defendant.

Case No. 2:09-cv-01339-KJD-PAL

**AMENDED ORDER**

This Order amends the court's Order (Dkt. #13) entered November 5, 2010, which miscalculated the discovery plan and scheduling order dates. The court conducted a scheduling conference on November 2, 2010 at 10:45 a.m. Virginia Cronan Lowe appeared telephonically on behalf of the Plaintiff, and Eric R. Olsen appeared on behalf of the Defendant. The Complaint (Dkt. #1) in this matter was filed July 23, 2010. This is an action by the United States for a determination of a statutory penalty for failing to surrender property subject to an IRS lien. The Plaintiff filed a Motion for Entry of Clerk's Default (Dkt. #6) August 19, 2010, and the clerk entered Default (Dkt. #7) August 20, 2010. Defendant filed its Answer (Dkt. #8) August 25, 2010. The district judge approved the parties' stipulation to set aside the default (Dkt # 15) November 15, 2010

The court canvassed counsel for the parties concerning their respective discovery needs, and indicated the parties would be allowed 90 days from the date of the hearing to complete discovery. However, the written order gave the parties only 60 days. Accordingly,

**IT IS ORDERED:**

1. The following discovery plan and scheduling order dates are amended as follows:
  - a. Last date to complete discovery: **January 31, 2011.**
  - b. Last date to file dispositive motions: **March 2, 2011.**


1 c. Last date to file joint pretrial order: **April 1, 2011**. In the event dispositive  
2 motions are filed, the date for filing the joint pretrial order shall be suspended  
3 until 30 days after a decision of the dispositive motions.

4 2. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be  
5 included in the pretrial order.

6 3. Applications to extend any dates set by this discovery plan and scheduling order shall, in  
7 addition to satisfying the requirements of LR 6-1, be supported by a showing of good  
8 cause for the extension. All motions or stipulations to extend discovery shall be received  
9 no later than **4:00 p.m., January 11, 2011**, and shall fully comply with the requirements  
10 of LR 26-4.

11 4. The parties shall forthwith meet and confer to determine whether they are able to reach a  
12 stipulation to set aside the clerk's default. The parties shall have until November 5, 2010  
13 in which to either file a stipulation, or for Defendant to file an appropriate motion to set  
14 aside the default.

15 Dated this 16th day of December, 2010.

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18 Peggy A. Leen  
19 United States Magistrate Judge  
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